

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

88th Legislative Day

April 18, 2002

PRESIDENT PHILIP:

The regular Session of the 92nd General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the gallery please rise? Our prayer today will be given by Pastor Jonathan Grubbs, First Church of God, Springfield, Illinois. Pastor Grubbs.

PASTOR JONATHAN GRUBBS:

(Prayer by Pastor Jonathan Grubbs)

PRESIDENT PHILIP:

Please remain standing for the Pledge of Allegiance. Senator Radogno.

SENATOR RADOGNO:

(Pledge of Allegiance, led by Senator Radogno)

PRESIDENT PHILIP:

Reading of the Journal.

SECRETARY HARRY:

Senate Journals of Tuesday, April 16th, and Wednesday, April 17th, 2002.

PRESIDENT PHILIP:

Senator Jones.

SENATOR W. JONES:

Mr. President, I move that the Journals just read by the Secretary be approved, unless some Senator has additions or corrections to offer.

PRESIDENT PHILIP:

Senator Jones moves to approve the Journals just read. There being no objection, so ordered. Committee Reports.

SECRETARY HARRY:

Senator Peterson, Chair of the Committee on Revenue, reports House Bills 1268, 1269, 1272, 1273, 1276, 1918, 3775, 4053 and 4230 Do Pass.

Senator Klemm, Chair of the Committee on Executive, reports

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House Bills 4007 and 4187 Do Pass; and House Joint Resolution 63 Be Adopted.

Senator Bomke, Chair of the -- Committee on State Government Operations, reports House Bills 3119, 4454, 5807 and 5829 Do Pass.

Senator O'Malley, Chair of the Committee on Financial Institutions, reports House Bills 4952 and 5742 Do Pass.

Senator Lauzen, Chair of the Committee on Commerce and Industry, reports House Bills 4451, 4457 and 4531 Do Pass.

And Senator Burzynski, Chair of the Committee on Licensed Activities, reports House Bill 1815 Do Pass; and House Bills 1006 and 5803 Do Pass, as Amended.

PRESIDING OFFICER: (SENATOR WATSON)

...Secretary, Resolutions.

SECRETARY HARRY:

Senate Resolution 400, offered by Senator Link.

And Senate Resolution 401, offered by Senator Radogno.

They're both substantive.

PRESIDING OFFICER: (SENATOR WATSON)

House Bills 1st Reading, please.

SECRETARY HARRY:

House Bill 4448, offered by Senator Parker.

(Secretary reads title of bill)

And House Bill 5652, by Senator Roskam.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR WATSON)

It's the intention of the Chair to go through 2nd Readings, 3rd Readings and Resolutions. So, if you have business you want to bring before the Senate in those categories - 2nd Reading, 3rd Reading, and we'll go through the Calendar on Resolutions. So, I would suggest the Members make it to the Floor. Senator Donahue, for what purpose do you rise?

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SENATOR DONAHUE:

Thank -- thank you, Mr. President. I rise on a point of personal privilege.

PRESIDING OFFICER: (SENATOR WATSON)

State your point, Senator.

SENATOR DONAHUE:

As my chair falls over! Today we have some very special guests, and I'd just like to introduce 'em to the -- to the Assembly at the moment. Mrs. Maitland is here, John's wife, their daughter, Jodi Zook, as well as four of their seven grandchildren: Dana, Sammy, Carly Zook and Abby Maitland. And I'd just like to have 'em stand and be recognized?

PRESIDING OFFICER: (SENATOR WATSON)

Proud grandfather, sitting there. Welcome to the Senate, Joanne, as always. Good to see you. Okay. We're going to go to page 11, about a third of the way down, and we have House Bills 2nd Reading. We have House Bill 1440. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 1440.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Education adopted one amendment.

PRESIDING OFFICER: (SENATOR WATSON)

Are there any other Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. House Bill 3210. Senator Bomke? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

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House Bill 3210.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Transportation adopted one amendment.

PRESIDING OFFICER: (SENATOR WATSON)

Are there any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. House Bill 3629. Senator Noland? Senator Noland on the Floor? Out of the record. House Bill 3645. Senator Bowles? Senator Bowles? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3645.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. House Bill 3652. Senator Sullivan? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3652.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. House Bill 3712. Senator Parker? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate {sic} Bill 3712.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR WATSON)

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House Bill 3729 -- excuse me. 3rd Reading, Mr. Secretary.
House Bill 3729. Senator Dudycz. Please read the bill, Mr.
Secretary.

SECRETARY HARRY:

House Bill 3729.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. House Bill 3768. Senator Dillard? Please read
the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3768.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. House Bill 3776. Senator Dudycz? Please read
the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3776.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. House Bill 4179. Senator Madigan, Lisa Madigan?
Senator Madigan on the Floor? Out of the record. On to page 12.
Top of page 12, House Bill 4194. Senator Hawkinson? Please read
the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 4194.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. House Bill 4228. Senator Radogno? Out of the

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record. House Bill 4229. Senator Parker? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 4229.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. House Bill 4618. Senator Tom Walsh. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 4618.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. House Bill 4911. Senator O'Daniel? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 4911.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. House Bill 4926. Senator O'Malley? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 4926.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Judiciary adopted one amendment.

PRESIDING OFFICER: (SENATOR WATSON)

Are there any Floor amendments approved?

SECRETARY HARRY:

No further amendments reported.

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PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. House Bill 4936. Senator Petka? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 4936.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. House Bill 4947. Senator Dillard? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 4947.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. House Bill 5004. Senator Klemm? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 5004.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. House Bill 5610. Senator Sullivan? Out of the record. House Bill 5646. Senator Dudycz? Senator Dudycz? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 5646.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Local Government adopted one amendment.

PRESIDING OFFICER: (SENATOR WATSON)

Are there any Floor amendments approved?

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SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. House Bill 5648. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 5648.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. House Bill 5663. Senator O'Malley? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 5663.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. House Bill 5700. Senator -- Senator Hawkinson. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 5700.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. House Bill 5720. Senator Geo-Karis. Please read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 5720.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR WATSON)

House -- 3rd Reading. House Bill 5732. Senator Sieben?

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Please read the bill.

SECRETARY HARRY:

House Bill 5732.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR WATSON)

House -- 3rd Reading. House Bill 5734. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 5734.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. We'll begin on page 9 of the Calendar. Middle of page 9, we have House Bills 3rd Reading. Once again, it's the intention to go all the way through on 3rd Reading and then do Resolutions. We'll start with House Bill 173. Senator Cullerton. John Cullerton on the Floor? Out of the record. House Bill 1215. Senator Dillard? Senator Dillard on the Floor? Out of the record? Senate -- House Bill 1386. Out of the record. House Bill 2671. Out of the record. House Bill 3363. Senator Noland? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3363.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Noland.

SENATOR NOLAND:

Thank you, Mr. President. House Bill 3363 came about because Representative Julie Curry and I represent the Amish community around Arthur, and they have a situation where they -- they will

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build up their horseshoes with a -- with a cleat, or a -- a spike, and then that, in turn, tears up their township roads. So they came to us, the Amish church leaders came to us, asking to have a fee placed on their -- their horse-drawn buggies. That fee will go back into the township to improve their roads. So, it's authorized by township vote only for the improvement of township roads. Appreciate your support.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion on this one? There ought to be. If not, the question is, shall House Bill -- 3363 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 54 voting Yes, 1 voting No, no voting Present. House Bill 3363, having received the required constitutional majority, is declared passed. House Bill 3710. Senator Jacobs? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 3710.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is about the third time we've had this bill, and all it really does is lowers the minimum population requirement that allows forest preserve districts to maintain zoos, from a hundred and fifty thousand to a hundred forty thousand. Only affects the Rock Island Zoo. We passed it out of here 53 to nothing, 57 to nothing, but it always gets tied up in something else. This is a clean bill that'd go to the Governor once passed, and I ask for

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your support.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall House Bill 3710 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 56 voting Yes, no voting No, no voting Present. House Bill 3710, having received the required constitutional majority, is declared passed. Turning the page to page 10. Top of page 10, House Bill 3734. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 3734.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, this bill amends the Public Funds Accounting Act. Authorizes the treasurer of any public or municipal corporation to use an electronic funds transfer as a method of disbursement, and I urge your favorable passage.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, the question is, shall House Bill 3734 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 57 voting Yes, no voting No, no voting Present. House Bill 3734, having received the required constitutional majority, is declared passed. House Bill 3771. Mr. Secretary, please read

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the bill.

SECRETARY HARRY:

House Bill 3771.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sieben.

SENATOR SIEBEN:

Thank you very much...

PRESIDING OFFICER: (SENATOR WATSON)

Let's see if we -- could we get some order, please? We'd like to have some order. Thank you. Senator Sieben.

SENATOR SIEBEN:

Thank you very much, Mr. President. This is an initiative of the Sterling Township in Whiteside County. Apparently, they had levied some taxes under the road and bridge fund that they were planning to use for a sewer connection in a subdivision, and this legislation provides a one-year opportunity for them to move those funds into the -- the appropriate fund to make that project complete. I know of no opposition and I'd ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Questions? Senator Larry Walsh.

SENATOR L. WALSH:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Walsh.

SENATOR L. WALSH:

Senator Sieben, I forgot to ask this in committee the other day. It's your intent that -- that this transfer takes place -- or, this -- this opportunity takes place, that it's not the opportunity to -- to transfer the money out just to use this money and then raise the levy to, basically, you know, increase taxes

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from the road and bridge fund.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sieben.

SENATOR SIEBEN:

Yes, that -- that's correct. The funds -- the money's already there. They just -- they made an error and they want to get it transferred into the fund that it's supposed to be in to make this sewer connection in the subdivision.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Walsh.

SENATOR L. WALSH:

Okay. So -- so the -- it's just basically for this Whiteside County -- or, Sterling Township and that's -- that's the only issue that you know of at this time.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sieben.

SENATOR SIEBEN:

That's correct. There's a one-year opportunity, and the way the language is drafted, it's specifically for Whiteside County.

PRESIDING OFFICER: (SENATOR WATSON)

Further questions? Any further questions? If not, the question is -- do you care to close, Senator? No. Question is, shall House Bill 3771 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 56 voting Yes, no voting No, no voting Present. House Bill 3771, having received the required constitutional majority, is declared passed. House Bill 3773. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 3773.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Myers.

SENATOR MYERS:

Thank you, Mr. President, Members of the Senate. This bill actually allows a township to take care of a cemetery at -- beyond the three-hundred-dollar limit that there is now. The three-hundred-dollar limit's been there for a long, long time and is inadequate for taking care of neglected township cemeteries. So, this would allow them, with the funds that are already available, to be able to take care of that cemetery.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall House Bill 3773 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 54 voting Yes, no voting No, 1 voting Present. House Bill 3812 {sic}, having received the required constitutional majority, is declared passed. House Bill 4044. Senator Philip? ...inadvertently announced the wrong bill for passage. It was House Bill 3773, not Senator Watson's bill, which was 3812. We're going to pass over that one. House Bill 4044. Senator Philip? Senator Philip on the Floor? Out of the record. House Bill 4130. Senator Dudycz? Out of the record. House Bill 4170. Senator Klemm? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 4170.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Klemm.

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SENATOR KLEMM:

Thank you, Mr. President. This bill amends the Community Mental Health Act. It really does three simple things, actually. First, it authorizes a community mental health board to enter into multiyear contracts. A recent court decision had said that they had difficulty in doing that, and we have to continue to get our federal dollars, which exceeds the two years. So, this allows them to continue to receive federal money. The second item, it allows the board to purchase and acquire property, which is the language similar to what we have in the Department of Public Aid Act. And then, finally, the bill allows the board to organize a not-for-profit corporation so they could raise funds that -- like the United Way and organizations like that want to help the mental health, they can accept that, but it has to be spent for the mental health projects that are authorized by the Act. So, I do ask for your support. It -- no opposition. It did pass unanimously from the House, so I do ask for your support.

PRESIDING OFFICER: (SENATOR WATSON)

Is there further discussion? Further discussion? If not, the question is, shall House Bill 4170 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 57 voting Yes, no voting No, no voting Present. House Bill 4170, having received the required constitutional majority, is declared passed. House Bill 4257. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 4257.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz.

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SENATOR DUDYCZ:

Thank you, Mr. President. House Bill 4257 amends the Park District Aquarium and Museum Act providing that aquariums and museums run by a park district must be open to the public free of charge for at least fifty-two days a year, six of which must be between the months of June and August, each year. You may recall, two years ago we passed this provision on a -- on a trial basis for a two-year period, and it's been a complete success and this legislation takes that -- that trial period out. Makes it permanent.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall House Bill 4257 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 57 voting Yes, no voting No, no voting Present. House Bill 4257, having received the required constitutional majority, is declared passed. House Bill 4471. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 4471.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 4471 is an Agency bill which replaces the system of physical soil classification for leaking underground -- investigation and site classification for leaking underground storage tanks with a system of site investigation and corrective action. It deletes high priority and low priority and no further

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action classification. States that the IEPA will -- will not -- excuse me. It increases the -- the maximum amount of the IP -- EPA shall approve for payment from the Fund. This bill is an Agency bill, as I indicated. According to the IEPA -- industry and the Illinois EPA, they can reduce remediation costs, streamline the corrective action process and require all leaking underground tank cleanups to proceed using the tiered approach. I know of known opposite -- no known opposition and I ask for your support. I know there's some questions.

PRESIDING OFFICER: (SENATOR WATSON)

Discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you very much, Mr. President. I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Donahue.

SENATOR DONAHUE:

Senator Jacobs, I'd like to ask you two questions for the purposes of legislative intent. Initially, with regard to the amendments at page 31 dealing with increasing the per-occurrence monetary limitation from one million dollars to 1.5 million dollars - if an owner/operator has completed remediation and expended more than one million dollars at a site, and thus, was restrained by the one-million-dollar-per-occurrence limitation currently in the law, and we now increase the recovery limitation to 1.5 million dollars per occurrence, does that mean that we intend to allow a person whom has completed remediation to submit past bills in excess of one-million-dollar limitation?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jacobs.

SENATOR JACOBS:

No, it is not the intention of the legislation to allow for

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recovery of costs in excess of one million dollars for those sites that have already completed remediation.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Donahue.

SENATOR DONAHUE:

Senator, again, my second question is only to clarify for legislative intent - along the same line of reasoning as my first question - at page 29 the legislation proposes to amend the current law to allow individuals with certain numbers of tanks to recover more expenses incurred each calendar year. In particular, and just by way of example, the legislation proposes to increase the amount an owner/operator of less than one hundred and one tanks may recover per calendar year from one million dollars, as currently the law, to two million dollars. By increasing the total amount that this owner/operator may claim per calendar year against the Fund, is it your intent to allow the persons whom -- were restrained by the one-million-dollar limitation per calendar year prior to enactment of these proposed amendments to file for recovery of expenses in excess of one million dollars, but less than two million dollars proposed in the limitation?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Senator. No, it is not the intention to allow for recovery of expenses incurred in past calendar years in excess of the one-million- or two-million-dollar-calendar-year limitation, whichever may be applicable under the current law. It is the intention to allow the Illinois EPA to increase the amount that an owner/operator may claim against the Fund for expenses incurred after the enactment of the legislation.

PRESIDING OFFICER: (SENATOR WATSON)

Is any -- any other discussion? Any other discussion? If

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not, the question is, shall House Bill 4471 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 58 voting Yes, no voting No, no voting Present. House Bill 4471, having received the required constitutional majority, is declared passed. House Bill 4988. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 4988.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Out of the record, Mr. Secretary. 4989. Senator -- please read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 4989.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President, Members of the Senate. House Bill 4989 amends Article XV {sic} (XL) of the Insurance Information and Privacy Protection Act of the Illinois Insurance Code to authorize the Director to -- of Revenue to enforce the privacy provisions of the federal Gramm-Leach-Bliley Act. This is an initiative of the Department of Revenue. I ask for your support.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall House Bill 4989 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take

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the record. On that question, there's 58 voting Yes, no voting No, no voting Present. House Bill 4989, having received the required constitutional majority, is declared passed. House Bill 5577. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 5577.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill seeks to amend the Municipal Code to provide that a municipality with a population exceeding forty thousand, instead of the current law which says seventy-five thousand, has the power to acquire, construct, control, maintain or operate a municipal convention hall. There was an amendment put on in committee which took away any possible controversy, and it said that the -- the amendment adopted removes the power to levy any property tax. So, they cannot levy a property tax. With this amendment, any municipality authorized under the bill must use revenue bonds. I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, the question is, shall House Bill 5577 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 56 voting Yes, 2 voting No and no voting Present. And House Bill 5577, having received the required constitutional majority, is declared passed. House Bill 5607. Mr. Secretary, please read the bill.

SECRETARY HARRY:

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House Bill 5607.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President, Members of the Senate. House Bill 5607 is an initiative of the Illinois Life Insurance Council and the American Council of Life Insurers. It's a change -- this change is the result of economic changes regarding the interest rates which are developed over time. In 1976, when the NAIC adopted the three-percent nonforfeiture guarantee as a model, the five-year Treasury yield was between seven and seven and a half percent. Now the Treasury yield is four percent, and the Federal Reserve cut short-term interest rates to below two percent. Without this legislation, the proponents believe that the availability of this product would become an issue. I ask for your support.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any questions? Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Roskam.

SENATOR ROSKAM:

Senator Peterson, the legislative intent concerning House Bill 5607 is to leave unchanged the maximum charges and expenses -- expense percentages used to calculate minimum nonforfeiture amounts but to change the minimum interest rate from three percent per annum - I get a little emotional about this - to 1.5 percent per annum for contracts issued on or after July 1, 2002, and before July 1, 2005. Isn't that right, sir?

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PRESIDING OFFICER: (SENATOR WATSON)

Senator Peterson.

SENATOR PETERSON:

That is correct, Senator Roskam.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Further discussion? If not, the question is, shall House Bill 5607 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 57 voting Yes, no voting No, no voting Present. House Bill 5607, having received the required constitutional majority, is declared passed. We are now at the top of page 11. Top of page 11 is House Bill 5709. Senator Dillard? Please read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 5709.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is an agreed-upon bill, and I know of no opposition, and it's supported by Ameritech, Verizon, MCI WorldCom, the City of Chicago and the Illinois Retail Merchants Association. And it clarifies how PBX - PBX, or trunk lines - under the 9-1-1 surcharge provisions of State law are handled. I'd be happy to answer any questions, but again, it's agreed upon, I believe, by all the affected parties, and I know of no opposition.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall House Bill 5709 pass. All those in favor,

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vote Aye. Opposed, vote No. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Yes, 2 voting No, no voting Present. House Bill 5709, having received the required constitutional majority, is declared passed. House Bill 5785. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 5785.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 5785 would authorize all townships to reduce and then reinstate the township tax rate for general assistance based on the number of general assistance cases before the board. This avoids the current situation where they are required to collect at the maximum even if they don't have the cases to spend the money on. Be happy to try to answer any questions.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, the question is, shall House Bill 5785 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, 58 are voting Yes, no voting No, no voting Present. House Bill 5785, having received the required constitutional majority, is declared passed. ...this opportunity to welcome back James Clayborne. James, glad to see you're back. We're at the bottom of page 3 -- bottom of page 23. Bottom of page 23 in the Calendar is Conference Committee Reports. ...Secretary, do you have a file -- do you have on file a

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Conference Committee Report on Senate Bill 119?

SECRETARY HARRY:

Yes, Mr. President. The First Conference Committee Report on Senate Bill 119.

PRESIDING OFFICER: (SENATOR WATSON)

The Chair recognizes Senator O'Malley, on Conference Committee Report 119.

SENATOR O'MALLEY:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 119 is back to us in the form of a conference report. There's agreement between the two Chambers. I'm not -- I don't believe the House has acted on this yet but will do so, as I understand it, when they get to that order of business. But what it does is add language requested by the Illinois Retail Merchants permitting banks, S&Ls, savings banks and -- and credit unions to disclose information in connection with a private label credit program. We've considered this language before. It got hung up because of some technical language as it was drafted in the House, and it had to come back in the form of Senate Bill 119 in this conference report. Be happy to answer questions, should there be any.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 119? Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 58 voting Yes, no voting No, no voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 119, and the bill, having received the required constitutional majority, is declared passed. We'll now go to page 22, bottom of page 22, Secretary's Desk, Resolutions. We have

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Senate Resolution 164. Mr. Secretary, please read the resolution.

SECRETARY HARRY:

Senate Resolution 164, offered by Senator Dillard.

No committee or Floor amendments, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. This does exactly as the Calendar suggests and supports Congress -- it supports that -- requests that Congress admit -- support the admission of the Baltic States of Estonia, Latvia and Lithuania in NATO, as brought to us by the communities of the -- of the Lithuanian, Latvian and Estonian citizens of Illinois. I know of no opposition. I would move its adoption.

PRESIDING OFFICER: (SENATOR WATSON)

...discussion? Any discussion? If not, Senator Mahar moves the adoption of Senate Resolution 164. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Senate Resolution 170. Mr. Secretary, please read the resolution.

SECRETARY HARRY:

Senate Resolution 170, offered by Senator O'Malley.

No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Resolution 170 urges the public, and parents especially, to boycott Abercrombie and Fitch and urge stockholders to demand a public stand against their marketing techniques promoting an -- an obscene lifestyle and -- and to continue to do so until the advertising of this nature ceases. Be happy to answer questions, should there be any.

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PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, Senator O'Malley moves the adoption of Senate Resolution 170. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Senate Resolution 342. Senator Rauschenberger? Please read the resolution, Mr. Secretary.

SECRETARY HARRY:

Senate Resolution 342, offered by Senator Rauschenberger.
No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. After more than twenty years of study and more than a billion dollars of ratepayers' money, the Yucca Mountain repository for recoverable nuclear waste is ready to go. The President of the United States has recommended the site. Congress is now in a position to endorse the President's recommendation, which is required under the law. This resolution urges them to do that. I'd -- be happy to answer questions, if people want to know more about nuclear waste, or whatever the Chamber desires.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, Senator Rauschenberger moves for the adoption of Senate Resolution 342. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Senate Resolution 346. Mr. Secretary, please read the resolution.

SECRETARY HARRY:

Senate Resolution 346, offered by Senator Silverstein.
The Committee on Executive adopted one amendment. There were no Floor amendments, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

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Senator Silverstein, to discuss the amendment.

SENATOR SILVERSTEIN:

Thank you, Mr. President. Yesterday the State of Israel celebrated its fifty-fourth anniversary. Today this resolution urges the Palestinian Authority and Yassar Arafat to end the encouragement of these terrorist acts. It also reinforces our commitment and our belief to the United States to work for a lasting peace in that region. I have no other -- no other opposition.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, Senator Silverstein moves the adoption of Senate Resolution 346. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. House Joint Resolution 54. Senator Noland? Mr. Secretary, please read the resolution.

SECRETARY HARRY:

House Joint Resolution 54, offered by Senator Noland.

No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Noland.

SENATOR NOLAND:

Thank you, Mr. President. HJR 54 urges Congress to authorize funding to construct twelve-hundred-foot-long locks on the upper Mississippi and Illinois River system. We have a thousand miles of inland waterway system and our -- that system is over sixty years old, so it needs to be upgraded and we're urging Congress to do so. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, Senator Noland moves the adoption of House Joint Resolution 54. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Senate Joint Resolution 56. Senator

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Weaver? Mr. Secretary, please read the resolution.

SECRETARY HARRY:

Senate Joint Resolution 56, offered by Senator Weaver.

No committee or Floor amendments to the resolution.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This joint resolution offered on behalf of the University of Illinois at Urbana-Champaign is in accordance with the State College Housing Construction Act. I know of no opposition and appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

We will take a roll call on this. Is there any discussion? Is there any discussion? If not, Senator Weaver -- excuse me. Senator Demuzio?

SENATOR DEMUZIO:

Mr. President, I -- you know, Senate Joint Resolution 58, I notice there's at least two new commissions or task forces being created, and...

PRESIDING OFFICER: (SENATOR WATSON)

We're on Senate Resolution -- Senate Joint Resolution 56.

SENATOR DEMUZIO:

This is a good resolution. I want to rise and support this one.

PRESIDING OFFICER: (SENATOR WATSON)

Any other discussion? If not, Senator Weaver moves the adoption of Resolution -- Senate Joint Resolution 56. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 55 voting Yes, no voting No, 1 voting Present. And Senate Joint Resolution 56 is adopted. Senate Joint Resolution 57. Senator Parker? Please --

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read the resolution, Senator -- Mr. Secretary.

SECRETARY HARRY:

Senate Joint Resolution 57, offered by Senator Parker.

No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Parker.

SENATOR PARKER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This resolution is on behalf of the American Cancer Society and senior citizens. And presently, the Medicare program only covers injectable drugs, cancer drugs, and there are so many new drugs now. So, what this does is encourage Congress to cover all oral anti-cancer drugs.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, Senator Parker moves for the adoption of Senate Joint Resolution 57. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Senate Joint Resolution 58. Senator Rauschenberger? Mr. Secretary, please read the resolution.

SECRETARY HARRY:

Senate Joint Resolution 58, offered by Senator Rauschenberger. The Committee on Public Health and Welfare adopted one amendment. There were no Floor amendments to the resolution.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Last Session we had a spirited debate about the -- our policies on handling sterile syringe needles. In -- during the debate, there was much question of what was fact and what was not fact and a question about the research. This creates a commission and appoints medical and pharmaceutical, disposal people, family

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advocates to a commission to make recommendations to the General Assembly on the policy we ought to adopt. I'd appreciate its favorable adoption.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, Senator Rauschenberger moves for the adoption of Senate Joint Resolution 58. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there's 55 voting Yes, 1 voting No and no voting Present. And the resolution is adopted. Committee Reports, Mr. Secretary.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measures have been assigned: Referred to the Committee on Education - House Bill 5939; to the Committee on Executive - House Bill -- House Bills 3699, 4335, 5592, 5606 and 5652; to the Committee on Financial Institutions - House Bill 5839; to the Committee on Licensed Activities - House Bills 2271 and 3393 {sic} (3993); to the Committee on Revenue - House Bills 4337 and 5779; and to the Committee on Transportation - House Bill 5255.

PRESIDING OFFICER: (SENATOR WATSON)

House Bills 1st Reading.

SECRETARY HARRY:

House Bill 4104, offered by Senator Obama.

(Secretary reads title of bill)

House Bill 5660, by Senator Obama.

(Secretary reads title of bill)

And House Bill 5909, by Senator Obama.

(Secretary reads title of bill)

1st Reading of the bills.

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PRESIDING OFFICER: (SENATOR WATSON)

Resolutions Consent Calendar. We'll now proceed to that order of business. With leave of the Body, all those that have been read in today will be added to the Consent Calendar. And, Mr. Secretary, have there been any objections filed to any resolution on the Consent Calendar?

SECRETARY HARRY:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? If not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor, say Aye. Opposed, Nay. Motion carries, and the resolutions are adopted. Resolutions.

SECRETARY HARRY:

Senate Joint Resolution 70, offered by Senator Weaver.

(Secretary reads SJR No. 70)

PRESIDING OFFICER: (SENATOR WATSON)

Senator Weaver moves to suspend the rules for the purpose of immediate consideration and adoption of Senate Joint Resolution 70. Those in favor will say Aye. Opposed, Nay. The Ayes have it, and the rules are suspended. Senator Weaver moves for the adoption of Senate Joint Resolution 70. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the -- resolution is adopted. There any further business to come before the Senate? If not, pursuant to the adjournment resolution, Senator Dillard moves the Senate stand adjourned until the hour of noon, Tuesday, April 23rd, 2002. Have a good weekend, everyone.